

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

TOMMY LEE THOMAS, #13066-078 §
VS. § CIVIL ACTION NO. 4:16cv118
UNITED STATES OF AMERICA § CRIMINAL ACTION NO. 4:05cr223(1)

ORDER OF DISMISSAL

This civil action was referred to United States Magistrate Judge Kimberly C. Priest Johnson, who issued a Report and Recommendation concluding the motion to vacate, set aside, or correct sentence (Dkt. 1) pursuant to 28 U.S.C. § 2255 should be denied and the case dismissed with prejudice. No objections have been filed. After reviewing the Report, the court concludes the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the court.

It is accordingly **ORDERED** that Movant's Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Dkt. 1) pursuant to 28 U.S.C. § 2255 is **DENIED** and **DISMISSED** with prejudice. A certificate of appealability is **DENIED**. All motions by either party not previously ruled upon are **DENIED**.

SIGNED this the 29th day of March, 2018.

Richard A. Schell
RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE